

MOTION BY MAYOR MICHAEL D. ANTONOVICH AND
SUPERVISOR DON KNABE

SEPTEMBER 13, 2011

In December 2010 the U.S. Fish and Wildlife Service (FWS) significantly increased the critical habitat designation for the Santa Ana Sucker Fish on significant portions of the San Gabriel River – a key water source for millions of people. The expanded habitat ruling superimposes federal restrictions that will make it difficult to operate and maintain stormwater capture, flood control, sediment management and groundwater recharge facilities in and along the San Gabriel River.

The Endangered Species Act (ESA) also requires that the FWS assess the economic impacts of all proposed critical habitat designations. The restrictions on stormwater capture, sediment management, flood control and groundwater recharge imposed by the critical habitat expansion could potentially reduce the amount of groundwater available for use and thereby force local water agencies to import replacement supplies from the stressed Sacramento-San Joaquin Delta and Colorado River. These imported supplies may increase costs into the billions of dollars over the next 25 years. FWS failed to conduct an objective evaluation of these very significant impacts and ignored the public health and safety issues raised by the County of Los Angeles.

A dozen water agencies serving millions of Southern California residents have sued the FWS over the expansion of critical habitat. Specifically, the water agencies allege the expansion violates the Endangered Species Act (ESA). The complaint includes specific impacts of that decision on local water, and flood control agencies throughout the region.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Department of Public Works to work with County Counsel, local water agencies and water authorities to examine the impact of the critical habitat expansion, and if it is determined the designation has significant impact, to develop recommendations for the Board's further consideration.

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